

***** MINUTES OF THE
CITY PLANNING COMMISSION
J. MARTIN GRIESEL CONFERENCE ROOM**

**August 19, 2005
9:00AM**

CALL TO ORDER

Mr. Faux called the meeting to order at 9 am.

Commission Members:

Present: Mr. Faux, Ms. Hankner, Ms. Holston, Ms. Lemmie, Mr. Mooney and Mr. Tarbell

Members Absent: Ms. McCray and Mr. Paddock

Community Development and Planning Staff:

Margaret Wuerstle, Renee Christon, Steve Briggs, Adrienne Cowden, Caroline Kellam, Jennifer Walke

Law Department:

Dotty Carmen, Julia Carney

APPROVAL OF MINUTES

Submission of the minutes from August 05, 2005 Planning Commission meeting for approval.

Motion:	Ms. Hankner motioned approval of minutes.
Second:	Ms. Holston
Ayes:	Mr. Faux, Ms. Hankner, Ms. Holston, Mr. Mooney and Mr. Tarbell
Nays:	None, motion carried

CONSENT ITEMS

- ITEM #1** A report and recommendation authorizing the City Manager to enter into a lease with Sylvia Thompson, for a portion of Dwyer Avenue north of Dalewood Place (the "Property"), which property is not needed for any municipal purpose during the term of the lease.
- ITEM #2** A report and recommendation authorizing the City Manager to enter into a lease with Pearl L. Jimmar, for a portion of Dwyer Avenue north of Dalewood Place (the "Property"), which property is not needed for any municipal purpose during the term of the lease.
- ITEM #3** A report and recommendation on a Plat of Subdivision, Record Plat, for the Elizabeth T. Bley Subdivision, Phase 3, located east of Hackberry Avenue and north of E. McMillan Street in the neighborhood of East Walnut Hills.

Motion: Mr. Mooney
Second: Ms. Hankner
Ayes: Mr. Faux, Ms. Hankner, Ms. Holston, Mr. Mooney and Mr. Tarbell
Nays: **motion carried**

DISCUSSION

ITEM #4: A report and recommendation to proceed with a free zone change study at 2437 West Clifton Avenue

Caroline Kellam, Senior City Planner, presented this item

BACKGROUND:

John Georgiton, owner of 2437 W. Clifton Avenue is requesting a free zone change study for his property. During the Zoning Code rewrite process, his property was rezoned from B-4 to RMX. His concern is that this new zoning designation is not consistent with the current use nor the proposed future use as set forth in the 2001 Clifton Heights/UC Joint Urban Renewal Plan as passed by City Council.

The current use of the property is surface parking with 35 parking spaces for the adjacent commercial structures. The applicant also owns 203-207 West McMillan. It was explained to the applicant that the property was rezoned to RMX because the current parking lot use was permitted and that zoning designation could act as a buffer between the commercial zoning of the business district to the north and the residential zoning to the south.

Currently, there are two adjacent surface parking lots to the east and northwest. Both of these properties are of comparable size and location, and both abut residential zoning. However, during the Zoning Code rewrite process these properties retained their commercial zoning. They are now zoned CC-M, like most of the Clifton Heights Business District along Calhoun and McMillan. The applicant is concerned that his property was rezoned residential, yet those other two parking lots kept their commercial zoning.

In addition, the City of Cincinnati has committed \$61,000 of CDBG money for a pre-development market study to construct a parking garage on the site. This would not be a permitted use under the current RMX zoning. The applicant is requesting a free zone change from RMX to CC-M for 2437 West Clifton Avenue.

RECOMMENDATION:

The staff of the Department of Community Development and Planning recommends that the City Planning Commission take the following action:

Authorizing the planning staff to conduct a free zone change study for the property at 2437 West Clifton Avenue.

Motion: Mr. Mooney
Second: Mr. Tarbell
Ayes: Mr. Faux, Ms. Hankner, Ms. Holston, Mr. Mooney and Mr. Tarbell
Nays: **motion carried**

ITEM #5: A report and recommendation on a zone change request for property on Kellogg Avenue from RF-C to RF-M.

Jennifer Walke, Senior City Planner, presented this item

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Note: Individuals with disabilities requiring special accommodations to participate in or attend this meeting should call the Community Development and Planning Department at 352-4889 seven days prior to the meeting.

--FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM, PLEASE CALL 352-4889 or
Check the City Website: www.cincinnati-oh.gov

GENERAL INFORMATION:**Owner:**

Gary Sampson
3608 Kellogg Avenue
Cincinnati, Ohio 45226

Petitioner:

Thomas A. Stitt, PE, PS
351 Fencerrail Way
Milford, Ohio 45150

Purpose:

To permit the River Materials LLC to locate on an 8 acre portion of the 18-acre site and operate a concrete production facility.

BACKGROUND:

Queen City Terminals owns 18 acres of vacant land along the riverfront that is zoned Riverfront-Commercial (RF-C). The Queen City Terminals would like to lease 8 acres of the site to River Materials LLC to relocate their concrete production facility from upriver to the site (See map). River Materials requires outdoor storage and barge terminals to operate. The RF-C zoning permits barge terminals, but does not permit the outdoor storage needed by River Materials to operate their concrete production facility. They have requested a zone change to Riverfront- Manufacturing (RF-M), which permits outdoor storage and would enable River Materials to build and own the structure from which they operate their business. Currently River Materials is leasing space downriver.

The site is located in a contested area between the East End and Columbia Tusculum neighborhoods. Both communities were notified of the proposed zone change.

EXISTING CONDITIONS:**Adjacent Land Use and Zoning:**

North: Queen City Terminals, RF-C

East: Ohio River

South: RF-M

West: ML, and MSD Treatment Plant, MG

Existing Plans:

This proposed change does not fall within the boundaries of the East End Riverfront Community Development Plan and Guidelines (1992). The Coordinated City Plan, Volume 2 (1980) recommends industrial uses for the 30 acres northwest of the intersection of Wilmer and Kellogg Avenue, which includes the area of the proposed zone change.

PUBLIC COMMENT:

Department of Community Development and Planning staff conducted a public conference on this zone change request on July 12, 2005. The petitioner Thomas Stitt, Scott Thompson (Queen City Terminals), Jeff Davidson (River Materials, LLC), Barney Schneider (Schneider Auto Parts, 4151 Kellogg Ave.) and Clarence Powers (Ace's Boat Hauling and Marine) were in attendance. City Staff in attendance were Katherine Keough-Jurs (Senior City Planner) and Jennifer Walke (City Planner). Clarence Powers spoke against the zone change. His business is located in a RF-M district, but does not want to see it extended because the barge activity associated with the proposed development would be detrimental to his marina due to their water disturbance. He was also concerned that the presence of outdoor storage in the floodplain would pose a burden to the area in the event of flooding. Queen City Terminal pledged to work with Ace's Boat Hauling and Marine to develop a design that would address these concerns.

Staff received no letters from residents or either of the community councils, despite multiple attempts to contact them.

ANALYSIS OF PROPOSED CHANGE:

The area of the proposed change exists in a flood plain and in a district that is recommended for industrial uses. Outdoor storage of chemicals, minerals, and aggregate requires a conditional use approval in the RF-M district, while RF-C requires all storage to be completely enclosed. Extending the RF-M district north to encompass the site would encourage activity on the site that has been vacant for decades. The location of the proposed change is adjacent to an existing RF-M district to the south and would still provide a substantial RF-C district that would buffer the RF-M from the nearest Riverfront- Recreation (RF-R) district.

CONCLUSION:

1. The Coordinated City Plan, Volume 2 recommends an industrial use on the site.
2. RF-M designation would attract new businesses to vacant land on the riverfront.
3. The primary opposition to the change was to the creation of barge terminals, which are permitted under the current zoning.
4. The remaining RF-C district would continue to buffer the nearest RF-R district from the RF-M.

RECOMMENDATION:

Department of Community Development and Planning staff recommends that City Planning Commission take the following action:

APPROVE the zone change request for property on Kellogg Avenue owned by Queen City Terminals from RF-C to RF-M.

DISCUSSION

Mr. Mooney wanted to know what the company would store and staff stated concrete. No one from community council responded to the notices that were sent out regarding rezoning of the area.

Mr. Tarbell had questioned how did this particular rezoning proposal differ from Saylor Park concerning Lone Star. Staff responded by stating that the difference is that Saylor Park opposed.

Ms. Holston asked what type of increase would happen as far as the barge traffic. Mr. Thomas Stitt stated that there would not be an increase just a change of location. Mr. Doug Rising had stated that Lone Star wanted to build a silo and that this request is for concrete storage. Queen City Terminal has a 99-year lease on 18 acres of land and wants to lease 8 acres to River Materials LLC.

Mr. Clarence Powers the owner of Ace's Boat Hauling and Marine spoke against the zone change stating that is imposed a safety issue. He felt that the presence of outdoor storage in the floodplain would pose a burden to the area in the event of flooding.

Motion:	Mr. Mooney
Second:	Ms. Holston
Ayes:	Mr. Faux, Ms. Hankner, Ms. Holston, Mr. Mooney and Mr. Tarbell
Nays:	None, motion carried

ITEM #6: A report and recommendation on a request for Zoning Variances to permit the subdivision of land at 6312 Beechmont Avenue in Mt. Washington.

Adrienne Cowden, Senior City Planner, presented this item.

BACKGROUND

The property at 6312 Beechmont Avenue is located on the north side of Beechmont Avenue between Wilray Terrace and Honeysuckle Lane in a RM-2.0 (Multi-Family) District. The lot has 141.26' of frontage on Beechmont Avenue and is developed with three c. 1960 multi-family apartment buildings. The apartment buildings are a permitted use in the RM-2.0 District.

The applicant, Stephyn Ward, wishes to subdivide the property into three lots in order to facilitate separate financing, maintenance and sale of the individual buildings. By creating separate lots and granting variances for a new property line, each building would be more in compliance with the Zoning Code, which requires each building to be on its own parcel.

The adjacent property owners and the Mt. Washington Community Council were sent a notification of the request for Zoning Variances and a copy of this staff report.

The creation of a separate lot for each building does not meet the requirements of § 1405-07 and § 1421-23 of the Zoning Code and requires Zoning Variances for the minimum and total side yard setback. Each of the proposed lots will have irregular side yards where the point of least width is less than the required 5'-0". The sum of the average side yard widths is also less than the minimum of 17'-0" for each lot. Table 1 provides more detailed information about the proposed setbacks for each new lot.

Table 1. Proposed Setbacks			
<i>* = See Attached Plat of Land Division</i>			
Future Address *	<u>Average Side Yard Width</u>		Sum of Average Side Yard Widths
	A (West)	B (East)	
6312 Beechmont Ave	6.095'	6.055'	12.15'
6316 Beechmont Ave	4.555'	5.435'	9.99'
6320 Beechmont Ave	6.28'	6.215'	12.495'

Under § 700.3 of the Rules and Regulations for the Subdivision of Land, the City Planning Commission may grant variances from the requirements of the Zoning Code for subdivisions of property occupied by two or more principal buildings provided that:

- (a) The subdivision does not create building sites for additional buildings.
- (b) The buildings were constructed prior to February 13, 2004.
- (c) The variances will not be detrimental to the public welfare or injurious to the interests of other property in the vicinity.

The application meets these strictures. Approval of the requested Zoning Variances will create a separate lot for each of the three multi-family buildings, all of which were constructed prior to February 13, 2004. The requested Zoning Variances relate to the sitting of the three multi-family buildings and will not change their relationship to each other or adjacent properties. The proposed land division will create the opportunity for the separate financing, improvements, maintenance and sale of each building.

RECOMMENDATION

The staff of the Department of Community Development & Planning recommends the City Planning Commission take the following actions:

1. Grant approval of the necessary Zoning Variances for the proposed side yard setbacks, finding that the application meets the requirements of § 700.3 of the Rules and Regulations for the Subdivision of Land.
2. Approve the subdivision of land as proposed and illustrated in the attached Record Plat.

Motion: Mr. Mooney
Second: Ms. Hankner
Ayes: Mr. Faux, Ms. Hankner, Ms. Holston, Mr. Mooney and Mr. Tarbell
Nays: None, motion carried

ITEM \$7: A report and recommendation on a zone change request for 2250-2256 Beechmont Avenue from CC-P to CC-M in Mt. Washington.

Jennifer Walke, Senior City Planner, presented this item

GENERAL INFORMATION:

Owner:	Agent:
Basheer Daoud	Brian Hagemeyer
Gold Star Chili, Inc.	GPD Group
650 Lunken Park Drive	520 S. Main Street, Suite 2531
Cincinnati, Ohio 45230	Akron, Ohio 44311

Purpose:

To permit a bank facility with a drive-through and parking on the site.

BACKGROUND:

Gold Star Chili, Inc. owned and operated the Gold Star Chili Commissary at 2244 Beechmont Avenue. Within the past year the Commissary closed and Gold Star Chili, Inc. acquired the three parcels to the north, 2250-2256 Beechmont Avenue, in order to construct a new facility for National City Bank. The site currently contains vacant residential structures. The Commissary is zoned CC-M and the parcels to the north are zoned CC-P (see map, attached).

The Commercial Community-Pedestrian (CC-P) zoning designation does not permit drive-through facilities. The proposed designation Commercial Community-Mixed (CC-M) permits drive-through facilities, but only in the rear of the building. The parking requirements for both pedestrian and mixed districts promote a continual street façade where parking is located to the rear of the buildings. Surface parking lots are permitted to be located to the side of the building adjacent to the public right-of-way as long as they do not exceed 50% of the frontage.

The CC-P designation requires a 0' front yard setback, while the CC-M permits a 12' front yard setback. The Community would like to promote buildings in the business district that front the street. The owner and the agent have been working closely with the Mt. Washington Community Council over the past few months to develop a design that is acceptable to both parties.

EXISTING CONDITIONS:

Adjacent Land Use and Zoning:

North: CC-P, Roxbury Street and vacant lot

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East: RM 1.2, apartment complex
South: CC-M, Gold Star Commissary
West: CC-A, car repair shop and retail center
Existing Plans:

The Mt. Washington Urban Design Plan (1996) recommends B-4 zoning on both sides of Beechmont Avenue near the proposed change (see map, attached). The Urban Design Plan also recommended the creation of an Urban Renewal Plan for the business district arguing that it was blighted.

ANALYSIS OF PROPOSED CHANGE:

The existing CC-M district covers over a third of a mile of the east side of Beechmont Avenue from Beechcrest Place past Corbly Road to nearly Roxbury Avenue. The proposed change would extend the existing CC-M district three parcels northward to Roxbury Street (see map, attached). The zoning designation recommended in the Urban Design Plan for the site was B-4 General Business District, which permitted drive-through facilities. The Urban Design Plan also argued that the business district was blighted, so extending the CC-M district to enable a business to occupy space that is now vacant is beneficial to the business district.

PUBLIC COMMENT:

Department of Community Development and Planning staff conducted a public conference on this zone change request on August 4, 2005. The petitioner Basheer Daoud (Gold Star Chili, Inc.) and the agent of the petitioner, Brian Hagemeier (GPD Group), were present. City Staff in attendance were Jennifer Walke (City Planner), and Ed Ratterman (Business Development Specialist). No other parties attended.

Staff received one letter of support of the change from the Mt. Washington Community Council and no letters in opposition of the change.

CONCLUSION:

5. The Mt. Washington Urban Design Plan (1996) recommends B-4 zoning for the site.
6. The B-4 zoning designation permits drive-through facilities, as does CC-M.
7. Approving the zone change would encourage occupation of a blighted site in the business district.

RECOMMENDATION:

Department of Community Development and Planning staff recommends that City Planning Commission take the following action:

APPROVE the zone change request for 2250-2256 Beechmont Avenue from CC-P to CC-M in Mt. Washington

Motion:	Mr. Mooney
Second:	Mr. Tarbell
Ayes:	Mr. Faux, Ms. Hankner, Ms. Lemmie, Ms. Holston, Mr. Mooney and Mr. Tarbell
Nays:	None, motion carried

OTHER BUSINESS

ITEM #8: An update on a zoning study of the commercial zoning districts at the intersection of Paxton Avenue and Wasson Road in Hyde Park and Oakley

MS. KATHERINE KEOUGH-JURS, Senior City Planner, presented this item

Staff gave a brief summary of the staff recommendation that was presented at the last Planning Commission meeting concerning the zone change at the intersection of Paxton Avenue and Wasson Road in the Hyde Park and Oakley area. The Commission had motioned to approve four of the items but requested staff to do a zoning study on two items that the neighborhood and property owners had issues with and come back to the Commission with an update. The Oakley Community Council would like to discuss the two items at their regular scheduled meeting September 6, 2005. She stated that she would bring back an update to the Commission after their meeting.

Ms. Carrie Walter owns a property at Drakewood and Wasson which is a multi-family and she is against changing the zone.

Mr. John Cody owns six properties opposite Kroger's lot. He stated that the area had been zoned OL, he felt that it was not suited for single family residential and would decrease the value of the properties. He had bought the properties for future development. He is willing to work with community council on developing the properties, and is even open to suggestions.

Mr. John Clye is against changing the zone stating that it would have a negative impact on the value of his property currently and in the future.

Ms. Burton spoke for her husband who was unable to attend citing that they bought the property for convenience and he is in favor of the current zone.

Mr. Brian Jiles spoke on behalf of his client a property management firm and they are against changing the zoning.

ITEM #9 Calhoun Street Market Place Project Presentation.

We are partners with Cincinnati and the Clifton joint Urban Development UC plan. They were before the Commission in 2000 and are ready to give an update on their progress. He informed the Commission that 758 beds would be ready for student housing in September 2005. They are ready for Phase 2 to construct underground parking for 300 spaces. There would be two towers that would have 130 condominiums in each tower. A new for sale center is schedule to open next month.

The purpose of their presentation is that the zoning code only allows for 85 ft for the towers and the proposed towers are 120 to 130 ft. Mr. Tarbell asked how many stories would the towers be above grade. The towers would be 11 stories above grade and it was suggested by staff that a PD be put in place for the entire area.

They mentioned that they already have 340 confirm interest in the towers and the community is very supportive of the project.

Mr. Tarbell pointed out that the buildings are huge and he is interested in seeing the development when the trees are in place.

It was pointed out that the Clifton vicinity has now a 12% occupancy rate and with the new development the market rate would increase by 221%.

ITEM #10 The Banks project packet of information

The Banks Project PowerPoint presentation was presented first for discussion because the City Manager was only available for an hour. Mr. Eric Stuckey District County Administrator with Hamilton County had pointed out that the purpose of the presentation was to give an overview and address concerns that the Planning Commission may have. The main goal is to complete the master plan that was established in the Banks project for the River Front. A developer has been identified

who understands and endorses the master plans that the City and the Planning Commission have adopted.

Mr. Tom Gableman, Project Council stated that he wanted to inform the Commission where the Banks project is today, which is basically 60 days after the announcement of Hamilton County's resolution indicating that a developer has stepped forward and is willing to commit \$4 to \$6 million dollars of private investment in the Riverfront. In addition, the developer would make a \$10,000,000 contribution to the public infrastructure that has been stalled for the past three to five years. He also wanted to set the context for the predevelopment agreement/predevelopment team that is now in place, and development that would be well beyond 2006; a four to 10 year period.

Mr. Gable pointed out that in terms of the overall financing for project, the approach that the City and County have used in respect to funding is a regional project and not a local one. This regional development project would have a major impact on the banks in Cincinnati and in Northern Kentucky. The major components of the development involve not only transportation, but also regional, commercial, residential, and retail development. The goal is to create a synergy between Northern Kentucky and Cincinnati. He stated that two riverfronts do not compete against each other, but compete with each other and create an environment downtown, downtown Covington, Newport and beyond uptown Cincinnati which makes a centerpiece of regional development. That is the overall goal he feels has taken place. There has been a substantial investment in the Riverfront by the City and County as well as private investment in part by Freedom Center, Paul Brown Stadium etc.

Ms. Lemmie arrived at 9:22 am.

In 1969, part of the effort was to move Crosley Field on the Riverfront. In a 30-year period, there was very little infrastructure improvement on the Riverfront. In September 1999 the Banks Plan was brought forward. In the plan there would be a major residential and retail development between the stadiums as well as a 50-acre Riverfront Park that would tie into the parks built by the City over the last three years.

There was a steering committee formed by the City and County in 1996 consultants were brought in, there were monthly meetings over a three-year period and the goal to establish an Urban Design Master Plan. The first concept of that plan for the Riverfront was put forth in April of 1997 that had different potentials for relocating the ballpark, Bengal stadium and potential location for the Freedom Center on the Riverfront.

Clearly, the goal of the planning process was to tie in the stadiums, as well as the economic process between the stadiums, and turning the Riverfront into a neighborhood. The Master Plan started in 1996 was an economic development initiative and the goal was not to put a Convention Center down on the river or put big box retail, the goal was to create a neighborhood. A result of the meetings in the three-year period there was an extensive amount of data, an extensive amount of analyses of that data, public meetings throughout Cincinnati as a result of that process which was a joint effort between the City and the County. The City and the County funded all the results that were brought in, even information from around the county, to develop the Urban Design Master Plan that is now in existence today. This resulted in the Urban Design principles in terms of parking, streets, parks and all attractions that would be on the Riverfront.

The Comprehensive 2000 Plan was developed in 1996. The Banks Plan was for the Riverfront only and approved by the Planning Commission in 1999. The Planning Commission approved the Urban Design Plan in March 2000, and approved unanimously by City Council in October 2000. The Urban Design Plan has a Master plan and urban guideline principals for each development block on the

Riverfront. In terms of the infrastructure that is necessary to make it happen there are three major components:

- Transportation for Fort Washington Way relocation,
- A totally new street bridge system instructed and
- A new parking garage facilities that would lift the development out of the flood plane and provide parking for the business district, for the overall development and parking for the major stadium attractions.

Those were all the guidelines that were established since 1999. The major component for the parking facility consisted of 5,000 parking spaces between Paul Brown Stadium on the Westside and the ballpark on the eastside. The infrastructure that has been constructed by the City and the County is completed pursuant to the master plan that was established in 1999.

Mr. Gableman said that the infrastructure components that have been developed since the 1999 master plan the garage under the Freedom Center and ballpark garage in a seven-year period has been phenomenal. In terms of what has already taken place since 1999, the cost has been \$383, 000,000 city invested \$100,000,000, state funds in street grid improvements. The County has invested so far \$940,000,000 so far in the Riverfront and in the streets. There has been eight major agreements between the County and the City regarding the Riverfront. The last agreement entered in two between the two entities was the Urban Design Master Plan. He said that 1.3 billion dollars has went into the infrastructure and zoning regulations. The City and County has work cooperatively since 1996 to go forward with the Urban Design Masterplan and has set the motions for additional private investments. He pointed out the additional pieces to make the private investment happen includes completing the streets, and the garage facility The County's investment for the garages is \$42 million, \$45 million private investments, street grid \$44 million County and \$29million City. The private investment for the public infrastructure is \$10, 000,000. The next phase is to have the garages built and then the park can be constructed. In terms of \$1.3 billion investment, there is still a lot of traffic congestion.

As of January of this year the two entities was looking at a portion of the Riverfront being constructed between two blocks, the ballpark and the Freedom Center, that how dismal it was looking. Now they are looking at the entire plan being implemented with an investment range of \$400 to \$600 million dollars. Construction would start up again in May of 2006 between 4 & 8 city blocks.

The Riverfront Park which plays a important part as far as making the Riverfront a neighborhood can not happen unless the garages are built and the street grid is completed. Once those projects are started the timing of the development lines up with the Park Board starting construction in 2007.

Mr. Faux asked what approval process would the Commission have to proceed with to be up to date. He explained that the Commission is contemplating changing the zoning that is included in the Banks plan.

Ms. Lemmie thanked Chairperson Caleb Faux for allowing her to offer general comments on the project and proposal, she has committed communication with City Council and she will share the information with the Commission. She presented a memo to the members concerning the level of agreement that she has been working through with the County staff in order to move forward. Ms. Lemmie pointed out that financing and the structure relationships have not been finalize.

Mr. Faux had stated the order in which he the City and County would sign an agreement. Ms. Lemmie replied by saying he has the steps correct but not the order may not be. She commented that there are

two things the County is meeting and coordinating with its developing team, we are discussing what might be needed in addition to what we have already agreed to in respect to jurisdictions. There may be revisions driven by the agreements the County has with its development team that may be brought back to the City and Planning Commission as it might be to the distribution and sale of real estate, urban design issues and from the council prospective financial issues. Ms. Lemmi said that they are not sure where those three elements are specifically but would like to have all worked through by the end of the year.

Mr. Mooney had taken the opportunity to wish Ms. Lemmie well since this is her last scheduled meeting with the Planning Commission.

Ms. Lemmie left the meeting at 9:40 am.

Mr. Mooney stated that even though he likes the plan, the City has had a negative experience with a member on the County development team. This developer had an agreement with the City to do a project and did not follow through on that agreement and the Commission wants to make sure that does not happen again. He pointed out that when the County goes and signs a development agreement without the City then the County has not followed through with their commitment to the City as planned.

Mr. Gableman made it very clear that there has not been any agreement signed without the City. Every ownership on the Riverfront the City and County has worked together to establish leases for their particular development. He felt there was no reason for a zone change and assured him that whatever has taken place as far as development on the Riverfront has and will go according to the Master Plan established since 1996. He stated as far as the zoning; everything has been under Sub District D that was approved by the City. The City changed the zoning on last year to fit everything that is to be built under the Banks' project. He feels there is no rationale for changing to a PD, when in fact, the County has already stepped to forefront and would hold the developer accountable and the County would be accountable to the City.

Mr. Faux indicated that he did not feel that adding a PD to the plan would not delay any completion of the development and its just a safety mechanism in case any changes occur in the future to what has already been agreed upon.

Ms. Hankner had given a hypothetical situation, if changes were to happen would it have to be brought before the Commission. Mr. Stucky said that would be left up to council. He assured the Commission that for the last four years everything has gone according to the plans. He stated that the developer is fully committed to what is in the Master Plan.

Ms. Hankner stated that better communication would really have solved the concerns of the Commission. She admitted that the Commission has just seen the presentation for the first time and she feels that is sad. She said that they should be called the Reaction Commission instead of Planning Commission. She was inclining not to do a PD because of what was presented but she said it got the County's attention.

Mr. Tarbell commented that being the only council member on the Commission he was concern about the development not going through a professional review before going to the political level; he said that type of oversight has gotten the City in a lot of trouble in the past. He also made a point of stating that he had some issues about the development and if he were given the opportunity, he would change. He reviews the Commission's role as expeditors and not obstructers.

Mr. Ron Ferrier, Erlanger, KY who has worked on the Veterans Memorial Park project for 10 years and pointed out that the Cincinnati Metropolitan area does not have a park that honor the veterans. He wanted the Commission to know that he is in favor of the Banks Project going forward and that this would have an impact on the Veterans Memorial Park. He also informed the Commission that he felt it would have a great economic impact on the Cincinnati Metropolitan area and that the Veterans have boycotted Cincinnati regarding their hosting their convention in the City.

ITEM #11 Correspondence to Robert Donnellon of Donnellon McCarthy, Inc. regarding the Northside

Ms. Margaret Wuerstle, Chief Planner introduce a letter to the Commission from

OTHER BUSINESS

Ms. Gerri Krause was present to inform the Commission that the Task Force is concerned about the sell of public schools and that they did not want the zone change with out the neighborhoods being informed. The Commission assured Ms. Kraus that they would follow procedure for all zone changes.

ADJOURN

Motion: Mr. Faux motioned to adjourn.
Second: Ms. Hankner
Ayes: Mr. Faux, Ms. Hankner, Ms. Holston, Mr. Mooney and Mr. Tarbell
Nays: None, **motion carried**

Margaret A. Wuerstle, AICP
Chief Planner

Caleb Faux, Chair

Date: _____

Date: _____